

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

IN RE: SUBWAY FOOTLONG )  
SANDWICH MARKETING AND ) Case No. 2:13-md-02439-LA  
SALES PRACTICES LITIGATION )

**JOINT RULE 26(f) REPORT**

Counsel for Plaintiffs Nguyen Buren, Charles Noah Pendrak, John Farley, Jason Leslie, Barry Gross, Richard Springer, Andrew Roseman, Vincent Gotter, Zana Zeqiri, and Ayanna Nobels and Counsel for Defendant Doctor's Associates Inc. ("DAI") have conferred as required by Federal Rule of Civil Procedure 26(f). As a result of this conference, the parties jointly propose the following scheduling and discovery plan.

As explained in previous filings, Plaintiffs and Defendant are currently engaged in settlement discussions with the assistance of their mediator, retired United States Magistrate Judge Morton Denlow. These discussions have been progressing and have included the exchange of informal discovery. The parties have now executed a memorandum of understanding ("MOU") that sets forth all the material terms of a settlement, except for the amount of attorney's fees. If the negotiations on the amount of attorney's fees are ultimately successful, they will, once the agreement is reduced to a formal settlement agreement and approved by the Court pursuant to Fed. R. Civ. 23(e), resolve this multi-district litigation.

Because of the status of the settlement talks, the parties propose that the most efficient path going forward is for the Court to enter a scheduling order that: (a) stays DAI's deadline (currently March 31, 2014) for filing a responsive pleading; (b) stays any formal discovery; and (c) requires the parties to report on the status of settlement every 45 days, or in whatever other interval the Court deems appropriate. The proposed scheduling and discovery plan will allow

the parties to focus their energies on settlement and will avoid the expense and burden to the parties (and to the Court) that will result if the parties must engage in motion practice and other pre-trial activities.

Date: March 18, 2014

**All Plaintiffs, individually, and on behalf of all others similarly situated,**

By: /s/ Thomas A. Zimmerman, Jr.

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**CERTIFICATE OF SERVICE**

John Doroghazi, an attorney, hereby certifies that he caused the foregoing document, to be served upon all counsel of record in this case via the Court's CM/ECF System, prior to 5:00 p.m., on this day March 18, 2014.

/s/John M. Doroghazi  
John M. Doroghazi